

CLERK'S OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

DEC 12 2018

JULIA C. DUDLEY, CLERK
BY: *A. Haylock*
DEPUTY CLERKIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

DIVISIONScott, Melinda

Plaintiff(s),

v.

Carlson, Andrew et al

Defendant(s).

(Enter the full name(s) of ALL parties in this lawsuit.

Please attach additional sheets if necessary).

Civil Action No.: 2:18cv47
(To be assigned by Clerk of District Court)COMPLAINT

PARTIES

1. List all Plaintiffs. State the full name of the Plaintiff, address and telephone number. Do the same for any additional Plaintiffs.

a. Plaintiff No. 1

Name: Melinda ScottAddress: PO BOX 1133-2014PMB87, RICHMOND, VA 23218Telephone Number: 540-692-2342

b. Plaintiff No. 2

Name: n/a

Address: _____

Telephone Number: _____

2. List all Defendants. State the full name of the Defendant, even if that Defendant is a government agency, an organization, a corporation, or an individual. Include the address where each Defendant may be served. Make sure that the Defendant(s) listed below are identical to those contained in the above caption of the complaint.

a. Defendant No. 1

Name: Andrew Carlson

Address: 150 Willow Creek Ave.
Schenectady, NY 12304

b. Defendant No. 2

Name: Joshua Conner Moon

Address: 3750 Don Janeal Rd.
Pensacola, FL 32526

NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES AND ADDRESSES ON A SEPARATE SHEET OF PAPER.

Check here if additional sheets of paper are attached: ☒

Please label the attached sheets of paper to correspond to the appropriate numbered paragraph above (e.g. Additional Defendants 2.c., 2.d., etc.).

JURISDICTION

Federal courts are courts of limited jurisdiction. Generally, two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount of damages is more than \$75,000 is a diversity of citizenship case. Federal courts also have jurisdiction over cases where the United States is a Defendant.

3. What is the basis for federal court jurisdiction?

☐ Federal Question

☒ Diversity of Citizenship

☐ Government Defendant

4. If the basis for jurisdiction is Federal Question, which Federal Constitution, statutory or treaty right is at issue? List all that apply.

n/a

5. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party? Each Plaintiff must be diverse from each Defendant for diversity jurisdiction.

Plaintiff No. 1: Melinda Scott
(Virginia) State of Citizenship: Virginia

Plaintiff No. 2: _____ State of Citizenship: _____

Defendant No. 1: Andrew Carlson State of Citizenship: New York

Defendant No. 2: Joshua Moon State of Citizenship: Florida

Attach additional sheets of paper as necessary and label this information as paragraph

5. Check here if additional sheets of paper are attached. ☒

STATEMENT OF THE CLAIM

Describe in the space provided below the basic facts of your claim. The description of facts should include a specific explanation of how, where, and when each of the defendants named in the caption violated the law, and how you were harmed. Do not give any legal arguments or cite cases or statutes. Each paragraph must be numbered separately, beginning with number 6. Please write each single set of circumstances in a separately numbered paragraph.

6. _____

Please see attachment
"Statements of Fact" (8 typed pages)

I. Statements of Fact

a. First publication of defamatory statements (Defendant Andrew Carlson)

(i) In December 2016, the Plaintiff discovered a website that the Defendant Andrew Carlson had created and published. The website was called "Operation Melinda Leigh Scott". It had a tab called "information about her past" which alleged male names that the Plaintiff supposedly had sexual encounters with. The page was entitled "List of Men Melinda Leigh has had sex with".

b. Publication of private information (Defendant Andrew Carlson)

(ii) In March 2017, Defendant Andrew Carlson published a video on YouTube that included the Plaintiff's legal name and the legal names of her children. Within the same video Andrew Carlson made allegations and statements relating to the Plaintiff's former and current marital status, including the legal name of her former and current legal spouse(s). In addition, Mr. Carlson made allegations and statements as to who the biological father(s) of the Plaintiff's children are.

(iii) Within said video, Mr. Carlson placed several men's names on the left side of a video and on the right side were placed the Plaintiff's children's legal names. Two of the men's names published were the names of the Plaintiff's former and current legal spouse. The video was configured to draw lines from the names of the Plaintiff's children to more than one of the men's names. Mr. Carlson obtained the Plaintiff's children's legal names from a Protective Order issued in February 2017.

c. Source of information (Defendant Andrew Carlson)

(iv) The timing of the publication of the video suggests that the information was obtained from the aforementioned Protective Order. Up until that time, the Plaintiff never disclosed the names of her children on social media. At the time of the video's publication, the Plaintiff and the Defendant had no friends in common. At the time of the video's publication, the last name of the Plaintiff's fourth (4th) minor child was not general public knowledge.

(v) Although the Protective Order was issued by a Circuit Court, the Protective Order hearing and subsequent documents were not a matter of public record. The Protective Order is not issued as a public document.

(vi) The Plaintiff never put her children's names public on any website, Facebook or social media site. Until that date, the only other place that the Plaintiff's children's legal names ever appeared were (1) her lease rental, which is private documentation (2) her children's medical records, which are private documentation (3) the Plaintiff's personal and private home files (4) the Plaintiff's children's social security cards, which are private information (5) the Plaintiff's children's birth certificates, which are private information and (6) court documentation not of record (courts not of record and sealed

documents), which are not accessible to the general public. The Plaintiff did not share any of the documents in the aforementioned six (6) categories with anyone other than employees of the applicable agencies, close acquaintances and personal friends. Neither the employees of the applicable agencies nor the Plaintiff's personal friends and acquaintances furnished the children's names to the Defendant Andrew Carlson.

(vii) Until that date, the only other place that the Plaintiff's biological father's names were listed in connection with the minor children were: (1) the Plaintiff's children's birth certificates, which are private information and (2) court documentation not of record (courts not of record and sealed documents) which are private.

d. Violation of Fourth Amendment Rights (Defendant Andrew Carlson)

(viii) Protective Orders, birth certificates, divorce decrees and marriage certificates are not public information. Many of those documents are held within "courts not of record". Defendant Andrew Carlson, in violation of the Plaintiff's Fourth Amendment rights publicly released the legal names of her children, the legal name of her former legal spouse and the legal name of her current legal spouse for an international audience. The information published and released by the Defendant was only obtainable by the search and seizure of private records and papers not accessible to the public. Although the first and last names of children are sometimes public community knowledge, the Plaintiff's privacy was breached by making knowledge about her former marital relations, her current marital relations and her children's names international knowledge.

e. Other defamatory publications (Defendant Andrew Carlson)

(ix) Additionally, within the same video, and other videos, Defendant Andrew Carlson published in writing and verbally spoke statements against the Plaintiff falsely attributing sexual acts to the Plaintiff which are untrue, including a supposed sexual act with a former (unnamed) landlord. Within the first video mentioned Defendant Andrew Carlson stated "who knows who the father of [redacted name] is". In other videos and online blogs Defendant Andrew Carlson made statements alleging that the Plaintiff had been married more than two (2) times. The Defendant Mr. Carlson also published a headshot photo of the Plaintiff on a nude stripper body insinuating that the Plaintiff was a prostitute.

f. Malice (Defendant Andrew Carlson)

(x) Defendant Andrew Carlson¹ acted with malice with the intent to vilify and embarrass the Plaintiff. By his own admission in internet postings the Defendant Andrew Carlson has admitted of hostile feelings toward the Plaintiff. His hostility was also manifest in

¹ The Plaintiff met the Defendant Andrew Carlson for the first time in February 2017 at a Protective Order hearing in Wise County General District Court. They have no prior romantic history, although Defendant Andrew Carlson falsely reported to a Clerk of the Circuit Court of Wise County that he was the Plaintiff's "ex-boyfriend".

emails sent to the Plaintiff between 2015 and 2018. Between 2015 and 2017 Mr. Carlson stalked the Plaintiff on the Internet (CyberStalking).

(xi) Defendant Andrew Carlson acted with malice in retaliation for (1) reporting him to the police (2) reporting him to the FBI (3) reporting the CyberStalking to other government staff (4) obtaining a Protective Order (5) rejecting his offer for marriage and (6) in retaliation for the Plaintiff possessing different theological beliefs than him. The Defendant conducted an online crusade to portray the Plaintiff in a negative light before an international audience.

(xii) The Defendant willfully acted with malice to vilify the Plaintiff for (1) taking legal action against him and (2) her religious beliefs. The Defendant willfully acted to try to cause the Plaintiff a psychic harm.

g. Violation of Fourth Amendment Rights (Defendant Joshua Moon)

(xiii) The private information published on YouTube by Defendant Andrew Carlson was intercepted and seized by Defendant Joshua Moon², owner of a business called Lolcow LLC. Between April 2016 and the present date, Joshua Moon has published for an international audience (1) the legal name of the Plaintiff's legal spouse (2) the Plaintiff's residential home address (3) the city of residence in which the Plaintiff lives and (4) the county of residence the Plaintiff lives in. None of the aforementioned four bullets is public knowledge for an international audience. Joshua Moon has published that his website gets millions of hits a day and is seen by thousands.

(xiv) As of June 2018, Defendant Joshua Moon has also threatened to publish photos and names of her children on his business website. Joshua Moon obtained the home address of the Plaintiff from Andrew Carlson³. The Plaintiff participates in an address confidentiality program (VA Code §2.2-515.2) and her address is not a matter of international public record. The Plaintiff's residential address can only be obtained by a search of (1) her private papers (2) her residential lease, which is confidential (3) her medical records, which are confidential (4) department of social service documents, which are confidential (5) social security documents, which are confidential and (6) health department records, which are confidential.

² Plaintiff has never met Defendant Joshua Moon in person. Joshua Moon is documented in third-party newspapers as an actual person. He has been sued in British courts under the name "Joshua Moon". Plaintiff can reasonably assume that Joshua Moon is an actual and separate person from Defendant Andrew Carlson. He has a registered business in the State of Florida.

³ Andrew Carlson obtained the Plaintiff's home address from the negligence of a business called GovTribe, Inc. In 2017 the Plaintiff had an EIN and registered on a website to try to obtain government contracts for retail supplies. The DUNS website does not allow participants to use a PO BOX. The Plaintiff entered in her residential address but was not warned by the DUNS site that the information could be published by third parties. GovTribe, Inc. did not ask the Plaintiff's permission to publish her residential address. In 2017 the Plaintiff sent a letter to GovTribe, Inc. demanding they remove her residential address from their site. GovTribe, Inc. negligently republished the Plaintiff's residential address again. In 2018 the Plaintiff sent another demand letter to remove her address from their site. GovTribe, Inc. once again removed her residential address from their site. As of the date of this pleading GovTribe, Inc. has failed to remove the Plaintiff's home address from their databases.

(xv) The name of the Plaintiff's legal spouse can only be obtained by a search of her marriage certificate, which is not public.

(xvi) Joshua Moon, owner of Lolcow, LLC has violated the Plaintiff's Fourth Amendment rights by publishing information from private papers and papers from courts not of record.

h. Defamatory publications (Defendant Joshua Moon)

(xvii) Additionally, Defendant Joshua Moon published false statements about the Plaintiff which have been read by an international audience. The false statements are (1) that the Plaintiff has had "9 husbands by 29" (2) that the Plaintiff has a list of husbands (3) that the Plaintiff committed sexual acts with a(n) (unnamed) former landlord (4) that the Plaintiff is a "gigantic whore" (5) that the Plaintiff is a "kike" and that the Plaintiff (6) "changes husbands like she changes panties".

(xviii) Defendant Joshua Moon also published a headshot photo of the Plaintiff falling on the floor outside of a boxing ring. The intent of the photo publication is to mock the Plaintiff.

(xix) Further, in June 2018, an administrative email address from Lolcow, LLC sent the Plaintiff an email stating that she had been "doxxed"⁴ on kiwifarms.com⁵. The implication of the email was that the private information of the Plaintiff was going to be published on Lolcow, LLC and shared with their users. The information the admin of Lolcow, LLC stated they were publishing public for an international audience was: (1) the Plaintiff's residential address. The admin also threatened to put the Plaintiff's children's names and photos on the internet, namely on Lolcow, LLC.

(xx) Although suits filed in Circuit Courts and General District Courts are public, generally most people do not go searching for them with the intent of keeping track of private citizens. Bringing them to light for an international audience, and thus disclosing the Plaintiff's county of residence, is an invasion of privacy. Defendant Joshua Moon published a sequential list of lawsuits the Plaintiff has been involved in within the past few years.

i. Malice (Defendant Joshua Moon)

(xxi) Defendant Joshua Moon committed these acts against the Plaintiff with willful malice with the intent to embarrass, humiliate and vilify the Plaintiff. Lolcow, LLC publishes that their mission is to "milk for amusement" the stories and people they post about. In emails and online, Defendant Joshua Moon has used vulgar language toward the Plaintiff. He has published statements labeling the Plaintiff as (1) "bitch" (2) "dumb" (3) "stupid" and (4) "the dumbest person, possibly ever". Defendant Joshua Moon has used

⁴ "Doxxed" is internet lingo for "your personal information and documents are published online"

⁵ Kiwifarms.com is the website used by Lolcow, LLC

published cartoons to mock the Plaintiff. Defendant Mr. Moon has spoke about the Plaintiff online in a derogatory manner to cast the Plaintiff in a negative light in front of an international audience. The statements made about the Plaintiff are misogynistic and anti-semitic, seeking to vilify the Plaintiff for having matriarchal elements in her family orientation, as well as for identifying with Jewish culture and religion.

(xxii) Further, Defendant Joshua Moon's statements have aimed at casting the Plaintiff in a negative light for her choice of spouse. By linking the defamatory comments of newspapers⁶ and other information about her spouse⁷, the Defendant Mr. Moon seeks to portray the Plaintiff spouse as a violent woman beater⁸, which is untrue. The portrayal of their marital association is an attempt to vilify the Plaintiff for associating with her legal spouse.

j. Violation of Fourth Amendment Rights (Defendant Sherod DeGrippe)

(xxiii) Defendant Sherrod DeGrippe intercepted and seized the Plaintiff's private information from Mr. Carlson and Mr. Moon and published it online⁹ for an international audience. On the website Encyclopedia Dramatica Sherod DeGrippe has published (1) the name of the Plaintiff's legal spouse (2) the religious affiliation of the Plaintiff and (3) the number of children the Plaintiff had by 2017.

k. Defamatory publications by Defendant Sherod DeGrippe

(xxiv) Defendant Sherod DeGrippe also published false statements about the Plaintiff attributing sexual acts to the Plaintiff which are untrue. The Defendant Ms.¹⁰ DeGrippe made a false statement that the Plaintiff committed sexual acts with a(n) (unnamed) former landlord. Defendant Ms. DeGrippe claims that she received this information from the Plaintiff's "stalker". The other false statement that Ms. DeGrippe claims she received "according to [the Plaintiff]'s stalker" is that the Plaintiff has "four baby daddies"¹¹.

⁶ An online newspaper article was published about the Plaintiff's legal spouse. It consisted of false allegations made to police in the State of California

⁷ The Plaintiff's legal spouse was incarcerated on "probable cause"

⁸ The Plaintiff's legal spouse was never convicted by trial and settled for a plea bargain under duress inflicted by violations of his 8th Amendment rights

⁹ Sherod DeGrippe is the owner of a website called Encyclopedia Dramatica. Her name appears in online newspapers. She is currently being sued in another Federal Court in the United States. Plaintiff can reasonably assume that "Sherod DeGrippe" is an actual and separate person from Defendant Andrew Carlson and Defendant Joshua Moon.

¹⁰ Although the Plaintiff has never met Sherod DeGrippe in person, Sherod DeGrippe has a female photo posted of herself on her LinkedIn profile. For the purposes of this Complaint, the Plaintiff will use "Ms." under the assumption that Sherod DeGrippe is a woman. Sherrod DeGrippe is also currently being sued in another Federal District Court and the gender pronoun used in the complaint is "she".

¹¹ "baby daddies" is a modern secular term to mean children conceived through sexual acts outside of a legal marriage license

(xxv) Defendant Sherod DeGrippo also published written statements saying that the Plaintiff was (1) “a horny jewess” and (2) “incestuous”¹².

1. Malice (Defendant Sherod DeGrippo)

(xvi) Defendant Sherod DeGrippo has acted with intentional malice. The article on Encyclopedia Dramatica has a photo that contains a picture of the Plaintiff¹³. The subtitle for the picture states that the Plaintiff is a “jew on her way to Auschwitz”¹⁴. The intent is anti-semitic. The statement can also be construed as a death threat or a threat of conspiracy to murder the Plaintiff and her spouse because they identify with the Jewish religion and culture.

The Defendant’s use of the term “baby daddy” is an attempt to cast shame on the Plaintiff for (1) having matriarchal elements in her family (2) for not having an abortion and/or (3) for not using birth control¹⁵. Ironically, the Defendant, although a female herself, is propelling misogyny against a person of her same gender class. The intent of using the term “baby daddy” is to try to vilify the Plaintiff for having matriarchal elements in her family orientation.

¹² The article reads that an alleged relationship with a cousin makes the Plaintiff “incestuous”, although marriage between cousins is legal in many states and not prohibited by Judaism. However, the use of the term “incestuous” in context of the article is aimed at casting the Plaintiff in a negative light in front of a secular international audience.

¹³ The photo, operating on patriarchal assumptions, misidentifies the Plaintiff as having the same last name as her legal spouse

¹⁴ A reference to the historically famous Nazi concentration death camp

¹⁵ Since statistically it is reported that the average American female under the age of 40 has had eight (8) sexual partners it can be inferred that Sherod DeGrippo is not remarking on the Plaintiff’s relationship choices but rather that she has borne children as a result of her relationships with the opposite gender.

Cause of Action I: Violation of Fourth Amendment Rights

All three Defendants have published private information of the Plaintiff's without the Plaintiff's consent. None of the information published is of legitimate concern to the public. None of the information published is privileged.

By publishing private information from the Plaintiff's private documents they have deprived the Plaintiff the privileges of her Fourth Amendment Rights. In publishing her residential address, they have made the Plaintiff lose the security of her house and persons. Their actions are an invasion of her privacy done with willful malice. The Plaintiff retains the right to privacy in the public eye, including remaining anonymous to strangers, employers, landlords and other persons generally.

Cause of Action II: Emotional Distress

All three Defendants who have willfully published defamatory statements and the Plaintiff's private information have subsequently caused the Plaintiff substantial emotional distress and grief, more than ordinary every day upset.

The publication of the Plaintiff's minor children's biological parent(s) is an insensitive move made by Defendant Andrew Carlson to attack a fatherly bond between the Plaintiff's legal spouse and her minor children. Defendant Andrew Carlson stated in his YouTube video that he would do "whatever it takes to reunite them with their biological father(s)".

Cause of Action III: Harm to Reputation

As of the filing of this pleading, the content published by Defendant Joshua Moon has been published for more than 550 days. Content published by Defendant Sherod DeGrippe has been published for more than 365 days. Content published by Defendant Andrew Carlson remains on YouTube under a "private" link. The videos published by Mr. Carlson were published publicly for more than thirty (30) days.

Defendant Andrew Carlson has caused harm to reputation. The contents of his videos and websites have been intercepted by other American citizens who have furthered his defamatory statements and misogyny.

Defendants Joshua Moon and Sherod DeGrippe have caused harm to reputation. In April 2017 Plaintiff issued one letter to Joshua Moon to cease and desist. In the earlier part of 2018 the Plaintiff also contacted the Anti Defamation League for assistance. Plaintiff was unable to remove the content by injunction¹⁶ in a state court.

¹⁶ The Plaintiff filed for a civil action in a county court seeking injunctive relief against KiwiFarms on May 2017. The case was dismissed on the grounds that (1) the pleading, although originating in a general district court did not allege every fact brought up in the circuit court hearing and (2) under state law the damages claimed were only "speculation". Telephone and email requests for assistance from legal aid did not result in the ability of the Plaintiff to appeal to a higher court.

In August 24, 2018 it became apparent that the articles online were causing more actual harm to the Plaintiff's reputation when statements were made to her by neighbors demonstrating that the articles written by the Defendants brought her under criticism and contempt. On August 24, 2018 the Plaintiff was told by a neighbor that she was a "Hebrew pagan". The same neighbor stated that if she didn't like their¹⁷ treatment of her she could leave because "no one wanted her [t]here...because [she] go[es] around suing everyone". The only way the neighbor had knowledge of many of the lawsuits the Plaintiff has been involved in was through the efforts of Andrew Carlson and Lolcow, LLC¹⁸.

The actions of all three defendants were done with malice and recklessness. Their ultimate intent was a misogynistic crusade with the goal of vilifying a woman because she has matriarchal elements in her family. All three Defendants have caused the Plaintiff to be seen in a negative light by others and in front of an international audience. The full scope of damage caused by the egregious nature of the written libel can be intrinsically understood and assumed.

¹⁷ In using the pronoun "their" the neighbor was referring to a number of apartments that hangs out together on a regular basis

¹⁸ Owned and published by Defendant Joshua Moon

Attach additional sheets of paper as necessary and label them as Additional Facts and continue to number the paragraphs consecutively. Check here if additional sheets of paper are attached. ☒

REQUEST FOR RELIEF

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking.

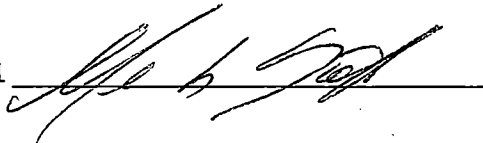
PLAINTIFF SEEKS THE FOLLOWING RELIEF:

- 1) INJUNCTIVE RELIEF ORDERING ALL THREE DEFENDANTS
(FROM NY, FL AND MI) TO REMOVE PERMANENTLY ANY
AND ALL INTERNET CONTENT THEY HAVE PUBLISHED
REGARDING THE PLAINTIFF, HER FORMER OR CURRENT
MARITAL RELATIONS, HER CHILDREN AND HER RESIDENCE
FROM ANY AND EVERY INTERNET MEDIA OR WEBSITE
UNDER THEIR CONTROL
- 2) SPECIAL DAMAGES IN THE AMOUNT OF \$36,000
TO PAY FOR SECURITY CAMERAS AROUND HER RESIDENCE
FOR A PERIOD OF TEN YEARS, PAYABLE BY JOSHUA
MOON AND ANDREW CARLSON, EACH \$18,000
- 3) DAMAGES IN THE AMOUNT OF \$80,000
FOR EACH DEFENDANT (A TOTAL OF \$240,000)
TO (1) COMPENSATE FOR THE DEPRIVATION OF
HER 4th AMENDMENT RIGHTS, HARM DONE
TO REPUTATION AND EMOTIONAL DISTRESS
AND TO (2) PUNISH THE DEFENDANTS FOR UNLAWFUL
MALICIOUS CONDUCT TOWARD THE PLAINTIFF (b)
IN AN ATTEMPT TO DETER FUTURE LIKE CONDUCT,
THE PLAINTIFFS REQUEST FOR PUNITIVE DAMAGES
IS TO PREVENT A FUTURE BREACH OF PEACE

DEMAND FOR JURY TRIAL:

☐ YES☒ NOSigned this 14th day of Nov., 2018.

Signature of Plaintiff No. 1



Signature of Plaintiff No. 2

**NOTE: All Plaintiffs named in the caption of the complaint must date and sign the complaint.
Attach additional sheets of paper as necessary.**